

Honorable Julius Genachowski, Chairman
Commissioner Michael J. Copps
Commissioner Robert M. McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Re: CG Docket Nos. 03-123 and 10-51

Dear Chairman Genachowski and Commissioners Copps, McDowell, Clyburn, and Baker,

As an employee of a Video Relay Service (VRS) provider, I have the great fortune of assisting deaf individuals to communicate by videophone in American Sign Language using VRS. I have seen first-hand that this life-altering broadband service is a vital link that connects deaf people to the hearing community.

Ensuring that deaf individuals have access to VRS and encouraging improvements in VRS should be a high priority for you as Chairman and Commissioners of the Federal Communications Commission (FCC). The Americans with Disabilities Act (ADA) requires the FCC to make available to all deaf individuals nationwide ?functionally-equivalent? communications.

You will soon determine the future of VRS. When you set the VRS rate, you will determine whether America makes progress toward the statutory goals of functional equivalence, nationwide access and inclusion ? or force deaf users to revert to TTY communications. And, you will determine whether VRS fulfills its potential to drive broadband adoption by the deaf, even in the face of poverty and isolation.

I was deeply disturbed to see the Commission?s recent Public Notice on VRS rates. These proposals would put an end to VRS as we know it. My employer has already informed me that if these proposed rates are adopted, our company would head into bankruptcy. This would be disastrous for deaf VRS users.

If a group of people were to look for a way to destroy a valuable service to such an underserved population, they couldn?t find a more effective way than what has been proposed, that is, to cut the majority of funding to the company that serves the most users in the most cost-effective way. If that same group of people were looking to add the greatest number of employees to the unemployment rolls, again this would be the way to do it. If you were interested in serving the community at all, you would let the users decide which provider(s) are worthy of their business by letting the dollars follow

the user. Instead it seems that user preference is the determining factor to which provider should be eliminated from the market place. In a competitive market, the customer decides with their patronage which provider will succeed or fail. But when the group is as underserved as are the users of video relay service, apparently the bureaucrats decide with their checkbooks, and reward the providers with the fewest customers! I know that all the providers have proposed suggestions on what a billing structure should look like in order to maintain and improve the service. And yet those proposals have been dismissed for one that is clearly intended to destroy the industry as a whole without regard for what will fill the void left in its wake.

The FCC should be increasing the availability and use of VRS, not cutting back. You should adopt a rate that encourages continuing improvements in VRS technology and continues to improve services levels. Recent developments in VRS are a good example of how the service can be improved, such as enhanced 911 services, 10-digit numbering, a larger and better-trained pool of interpreters and better videophones with an array of enhanced features. Monthly payments for broadband are a big expense for many deaf people, and instead of trying to cut back on VRS, you should be exploring ways to make VRS over broadband more affordable to deaf individuals.

Progress towards functional equivalence will be destroyed if the FCC does not encourage VRS providers to improve VRS and make it more widely available. VRS is a recent and dramatic advancement that benefits those who are deaf, but so much more can be done. It would be tragic if the FCC were to destroy this broadband service that is so vital to the deaf.

Recent reports of fraud in the VRS industry are disturbing to employees who work for a company that has operated within current FCC guidelines and has worked to maintain the integrity of the VRS fund. The FCC must devote more of its time and energy to focusing on the elimination of fraud.

Although the proposed move will undoubtedly put me out of work, I will be the least casualty. The greater impact will be on the lives of those people who had just begun to experience the benefits of telephone communication before their federal government slammed the door in their faces, and used their own tax dollars to do so!

I urge you to establish a fair and predictable rate for VRS that will encourage VRS providers to invest in improving VRS and reaching more deaf individuals. The law requires it and it is the right thing to do.

